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PATENT

10/542120
JC14 Rec'd PCT/PTO 11 JUL 2005

OCTROO 0016-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **ENGELN, et al.** Serial No.: to be assigned
International Application No.: PCT/EP2004/000151 Examiner.: to be assigned
International Filing Date January 12, 2004
Filed: **HEREWITH**
For: *COMPOSITIONS AND METHODS FOR IMPROVING THE CONDITION
OF PATIENTS SUFFERING FROM COPD AND OTHER DISEASES*

Customer No.: **23719**
PATENT TRADEMARK OFFICE

Kalow & Springut LLP
488 Madison Avenue, 19th Floor
New York, New York 10022

July 11, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents:

In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, Applicants wish to make known to the Patent and Trademark Office the references set forth on the attached form PTO-1449. Applicants do not admit that the references are "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserves the right to traverse or antedate any such reference. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with Applicants' duty to disclose all information of which they are aware and believe relevant to the examination of the above-identified application, Applicants believe that their invention is patentable.

Certificate of Express Mailing Under 37 C.F.R. § 1.10

I hereby declare that on the date indicated below, this correspondence is being deposited with the United States Postal Service via Express Mail Label No. E127957857545 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450 on the date shown below.

[Signature]
(Signature)

July 11-2005
(Date)

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 Information Disclosure Statement – Page 2

I. FOREIGN PATENT DOCUMENTS

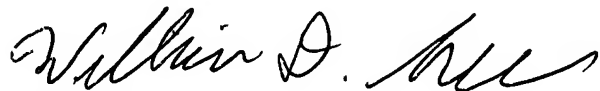
<u>Publication No.</u>	<u>Country</u>	<u>Publication Date</u>
EP 0 873 754 A1	EP	October 28, 1998

II. NON PATENT PUBLICATIONS

Pouw, et al., Plasma and Muscle Amino Acid Levels in Relation to Resting Energy Expenditure and Inflammation in Stable Chronic Obstructive Pulmonary Disease, Am J Respir Crit Care Med, Vo. 158. pp 797-801 (1998)

Because no action has been taken on the merits, Applicants submit that no fee is due at this time. However, if a fee is deemed necessary, please charge Deposit Account No. 11-0171.

Respectfully submitted,



William D. Schmidt.
 Registration No.: 39,492
 Attorney for Applicant

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 (212) 813-1600

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>	Docket Number (Optional) OCTROO 0016-US	Application Number 10/542120 <i>(To be assigned)</i>
	Applicant(s) ENGELEN, et al.	
	Filing Date HEREWITH	Group Art Unit To be assigned

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

U.S. PATENT APPLICATION PUBLICATIONS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
		EP 0 873 754 A1	28-10-1998	EP			✓	

OTHER DOCUMENTS		<i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>
		Pouw, et al., Plasma and Muscle Amino Acid Levels in Relation to Resting Energy Expenditure and Inflammation in Stable Chronic Obstructive Pulmonary Disease, Am J Respir Crit Care Med, Vo. 158. pp 797-801 (1998)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.